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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/941,687	08/30/2001	Taku Kato	213422US2S	6198

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OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

FIELDS, COURTNEY D

ART UNIT	PAPER NUMBER
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2137

DATE MAILED: 06/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/941,687

Applicant(s)

KATO ET AL.

Examiner

Courtney D. Fields

Art Unit

2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-20 are pending.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Sims, III (US Patent No. 6, 438, 235).

Referring to the rejection of claims 1-3, 9-14, Sims, III discloses a method of recording, producing, and playing information on an information recording medium, comprising: preparing an information recording medium having a first read-only area recording a specified key management information, a second read-only area recording compressed data comprising the key management information compressed with a specified function according to a recording system different from that for the first read-only area, and a writable area for recording, in a writable manner, encrypted content data resulting from encryption based on the key management information (See Column 6, lines 28-67, Column 7, lines 1-27)

reading key management information from the first read-only area on the prepared information recording medium and converting the key management information to compressed data by using a specified function (See Column 8, lines 52-67)

reading compressed data from the second read-only area and comparing this compressed data with the compressed data obtained at the conversion when both match as a result of the comparison generating a content key from the key management information by using its own device key (See Column 16, lines 1-32)

and encrypting input content data by using the generated content key and recording the obtained encrypted content data on the writable area (See Column 16, lines 41-56)

Referring the rejection of claims 4, 15, and 19, Sims, III discloses an information recording medium comprising:

a first read-only area recording specified key management information (See Column 6, lines 30-44)

a second read-only area recording compressed data comprising the key management information compressed with a specified function according to a recording system different from that for the first read-only area (See Column 6, lines 45-60)

and a writable area for recording in a writable manner, encrypted content data resulting from encryption based on the key management information (See Column 7, lines 5-15)

Referring to the rejection of claims 5 and 16, Sims, III discloses the claimed limitation wherein the first read-only area is formed between the second read-only area and the writable area (See Column 7, lines 10-15)

Referring to the rejection of claims 6-7 and 17-18, Sims, III discloses a recording and playing apparatus comprising:

a compression circuit configured to convert key management information read from a first read-only area on the information recording medium to compressed data by using a specified function (See Column 15, lines 43-67)

a comparison circuit configured to compare compressed data read from a second read-only area on the information recording medium with compressed data obtained in the compression circuit (See Column 16, lines 1-32)

a key generation circuit configured to generate a content key from the key management information by using its own device key when a match is found as a result of comparison by the comparison circuit (See Column 16, lines 41-67, Column 17, lines 1-6)

and an encryption/decryption recording circuit configured to encrypt/decrypt input/output content data by using a content key generated in the key generation circuit and record obtained encrypted content data onto the writable area (See Column 17, lines 16-43)

Referring to the rejection of claims 8 and 20, Sims, III discloses an information recording medium comprising:

a first read-only area recording specified key management information, wherein the key management information, after it is read, is used as compressed data converted with a specified function and is compared to compressed data in the second read-only area (See Column 19, lines 1-7)

a second read-only area recording compressed data comprising the key management information compressed with a specified function according to a recording system different from that for the first read-only area (See Column 19, lines 8-25)

and a writable area for recording, in a writable manner, encrypted data to be recorded based on the key management information when the comparison results in a match (See Column 19, lines 26-32)

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Timmermans et al. (US Patent No. 5,737,286) discloses an information system including a record carrier and a playback apparatus.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Courtney D. Fields whose telephone number is 571-272-3871. The examiner can normally be reached on Mon - Thurs. 6:00 - 4:00 pm; off every Friday.

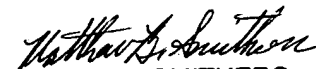
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2137

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


cdf

June 5, 2005


MATTHEW SMITHERS
PRIMARY EXAMINER
Art Unit 2137